

ASSEMBLY BILL

No. 207

Introduced by Assembly Member Grove

January 29, 2015

An act to amend Section 51747.3 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 207, as introduced, Grove. Virtual or online charter schools: average daily attendance.

Existing law requires community school and independent study average daily attendance to be claimed by school districts, county superintendents of schools, and charter schools only for pupils who are residents of the county in which the apportionment claim is reported or pupils who are residents of a county immediately adjacent to the county in which the apportionment claim is reported. Existing law authorizes virtual or online charter schools to also claim independent study average daily attendance for pupils enrolled in the school that move to a residence located outside of the geographical boundaries of the virtual or online charter school, as specified.

This bill would authorize virtual or online charter schools to also claim independent study average daily attendance for pupils who are residents of a county that is 125 miles or less from the county in which the apportionment claim is reported.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51747.3 of the Education Code, as
2 amended by Section 1 of Chapter 807 of the Statutes of 2014, is
3 amended to read:

4 51747.3. (a) Notwithstanding any other law, a local educational
5 agency, including, but not limited to, a charter school, may not
6 claim state funding for the independent study of a pupil, whether
7 characterized as home study or otherwise, if the local educational
8 agency has provided any funds or other thing of value to the pupil
9 or his or her parent or guardian that the local educational agency
10 does not provide to pupils who attend regular classes or to their
11 parents or guardians. A charter school may not claim state funding
12 for the independent study of a pupil, whether characterized as
13 home study or otherwise, if the charter school has provided any
14 funds or other thing of value to the pupil or his or her parent or
15 guardian that a school district could not legally provide to a
16 similarly situated pupil of the school district, or to his or her parent
17 or guardian.

18 (b) (1) Notwithstanding paragraph (1) of subdivision (d) of
19 Section 47605 or any other law, and except as specified in
20 paragraph (2), community school and independent study average
21 daily attendance shall be claimed by school districts, county
22 superintendents of schools, and charter schools only for pupils
23 who are residents of the county in which the apportionment claim
24 is reported, or who are residents of a county immediately adjacent
25 to the county in which the apportionment claim is reported.

26 (2) In addition to claiming independent study average daily
27 attendance pursuant to paragraph (1), a virtual or online charter
28 school may also claim independent study average daily attendance
29 for a pupil who is ~~enrolled~~ *either, or both, of the following:*

30 (A) *Enrolled* in the school and moves to a residence located
31 outside of the geographical boundaries of the virtual or online
32 charter school. The virtual or online charter school may claim
33 independent study average daily attendance for the pupil under
34 ~~this paragraph~~ *subparagraph* only for the duration of the course
35 or courses in which the pupil is enrolled or until the end of the
36 school year, whichever occurs first.

37 (B) *A resident of a county that is 125 miles or less from the*
38 *county in which the apportionment claim is reported.*

1 (c) The Superintendent shall not apportion funds for reported
2 average daily attendance, through full-time independent study, of
3 pupils who are enrolled in school pursuant to subdivision (b) of
4 Section 48204.

5 (d) In conformity with Provisions 25 and 28 of Item
6 6110-101-001 of Section 2.00 of the Budget Act of 1992, this
7 section is applicable to average daily attendance reported for
8 apportionment purposes beginning July 1, 1992. The provisions
9 of this section are not subject to waiver by the state board, by the
10 Superintendent, ~~or~~ *nor* under any provision of Part 26.8
11 (commencing with Section 47600).

12 (e) For purposes of this section, “virtual or online charter school”
13 means a charter school in which at least 80 percent of teaching
14 and pupil interaction occurs via the Internet.

15 (f) This section shall remain in effect only until January 1, 2018,
16 and as of that date is repealed, unless a later enacted statute, that
17 is enacted before January 1, 2018, deletes or extends that date.